

RID (Rule Interpretation Decision)

(Use additional sheets as necessary)

Type of RID		Requested Response Time	DSD Assigned RID # 020
Customer RID	X	24 hours	X
Internal Staff RID		5 working days	
		As time available	

1. Project Name: None**2. Project Number:** None

(Plat #, Zoning Case #, etc.)

3. Project Street Address: None

(If not available nearest intersection of two public streets)

4. Applicant Name: Mr. Eric Smith**5. Applicant Address:** None**6. Applicant Telephone #:** 972-458-9761 office 214-202-6743 cell**7. Applicant e-mail Address:** None**8. Rule in Question:**

(Section and/or policy of UDC, Building Code, Master Plan, etc)

If dry cleaners have more than 5 employees, does it automatically deem it as a dry cleaning plant? Both uses are conducting business in the same manner just on a different scale.

A dry cleaner, limited to 5 employees is permitted over the ERZD with a Specific Use Authorization. A plant is not permitted over the ERZD. If the dry cleaners are releasing the same chemical emissions as a dry cleaning plant, why is it permitted with an "S" and a dry cleaning plant is not permitted over the ERZD?

9. Applicant's Position: (As paraphrased by staff)

The intended use is not a dry cleaning plant rather the proposed use is a dry cleaners with more than 5 employees. Over five (5) employees are too low of a number to be considered an industrial plant.

The applicant intends to open dry cleaners on property zoned C-3 ERZD General Commercial Edwards Recharge Zone District. The building will be between 3,000 and 4,000 square feet and operate with 12 to 15 employees throughout the day. The operation will be entirely at this location from start to finish. The dry cleaners will accept the clothes from customers, clean the clothes and the customers will pick them up at the

store. The applicant contends that his intended dry cleaner use is just that and not a dry cleaning plant.

The operation will only serve the surrounding community and will not provide service to other businesses. The applicant describes a plant that serves business customers such as hotels, and restaurants with large amounts of cleaning as opposed to a cleaners providing service to surrounding customers.

(Including date position presented and name of city staff point of contact)

Date: Sept. 30, 2004 **Contact:** Christie Chapman **Contact Telephone #:** 207-8389

10. Staff Finding:

At the time that the table of uses was prepared it was recognized that dry cleaning plants handled volumes of dry cleaning chemicals that could be of risk to the ERZD if a discharge of materials occurred. It was also recognized that some cleaners operated incidental dry cleaning at a much smaller scale that involved much less chemicals which could be reasonably contained if a spill occurred inside the facility or if it was to undergo a fire. Rather than to limit by volume of materials which could change on a daily basis and be difficult to monitor the decision was made to base permissible operations as small facilities with 5 or less employees.

Date: Sept. 30, 2004 **Contact:** Christie Chapman **Contact Telephone #:** 207-8389

11. Staff Position:

(Including date position presented internally and name of city staff person formulating position)

Date: Oct. 7, 2004 **Contact:** Bill Telford **Contact Telephone #:** 207-7879

If staff were to accept the applicant's position the conservative approach would be to eliminate "all" dry cleaning over the recharge zone including those facilities with less than five employees.

Staff is of the opinion that facilities with less than five employees limits the volume of dry cleaning chemicals used on site to a level that minimizes the risk of accidental contamination of the aquifer and therefore does not recommend amending the policy to allow dry cleaning facilities with more than 5 employees.

12. Departmental Policy or Action:

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director of Development Services)

Date of policy/action: **Effective Date of policy/action:**

The Director after review of the applicant's position, staff's findings and recommendations is of the opinion that the uses as allowed under the Table 311-2 of the

UDC are appropriate and that no evidence has been submitted that would justify increasing the maximum limits of the size of dry cleaning facilities over the ERZD.

Florencio Peña, Director
Development Services Department